Dated: March 30, 1995.

Susan G. Esserman,

Assistant Secretary for Import Administration.

[FR Doc. 95–8509 Filed 4–5–95; 8:45 am]

BILLING CODE 3510–DS–P

[A–100–002]

Notice of Price Determination, Uranium from Kazakhstan, Kyrgyzstan, and Uzbekistan

AGENCY: International Trade Administration, Import Administration, Commerce.

ACTION: Notice.

SUMMARY: Pursuant to section IV.C.1. of the antidumping suspension agreements on uranium from Kazakhstan, Kyrgyzstan, and Uzbekistan, the Department calculated a price for uranium of $12.06/lb. On the basis of this price, the export quota for uranium pursuant to Section IV.A. of the Uzbek and Kyrgyz agreements is zero. The export quota for uranium pursuant to Section IV.A. of the Kazakhstani agreement, as amended on March 27, 1995, is 500,000 lbs. for the period April 1, through September 30, 1995. Exports pursuant to other provisions of the agreements are not affected by this price.

EFFECTIVE DATE: April 1, 1995.

FOR FURTHER INFORMATION CONTACT: Maureen Price or Beth Chalecki, Office of Agreements Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street & Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–0159 or (202) 482–2312, respectively.

PRICE CALCULATION:

Background

Section IV.C.1. of each agreement specifies that the Department of Commerce (DOC) will issue its observed market price on April 1, 1995, and use it to determine the quota applicable to exports from the various republics during the period April 1, 1995 to September 30, 1995.

Calculation Summary

Section IV.C.1. of each agreement specifies how the components of the market price are reached. In order to determine the spot market price, the Department utilized the monthly average of the Uranium Price Information System Spot Price Indicator (UPIS SPI) and the weekly average of the Uranium Exchange Spot Price (Ux Spot). In order to determine the long-term market price, the Department utilized the weighted average long-term price as determined by the Department on the basis of information provided by market participants and a simple average of the UPIS Base Price for the months in which there were new contracts reported.

Our letters to market participants provided a contract summary sheet and directions requesting the submitter to report his/her best estimate of the future price of merchandise to be delivered in accordance with the contract delivery schedules (in U.S. dollars per pound U_3O_8 equivalent). Using the information reported in the proprietary summary sheets, the Department calculated the present value of the prices reported for any future deliveries assuming an annual inflation rate of 2.65 percent, which was derived from a rolling average of the annual GNP Implicit Price Deflator index from the past four years. The Department used the base quantities reported on the summary sheet for the purpose of weight-averaging the prices of the long-term contracts submitted by market participants. We then calculated a simple average of the UPIS Base Price and the longer-term price determined by the Department.

Weighting

The Department used the average spot and long-term volumes of U.S. utility and domestic supplier purchases, as reported by the Energy Information Administration (EIA), to weight the spot and long-term components of the observed price. In this instance, we have used purchase data from the period 1989–1992, as in the previous determination. During this period, the spot market accounted for 31.39 percent of total purchases, and the long-term market for 68.61 percent. We were not able to include data from the 1993 EIA Uranium Industry Annual because it has been withheld due to its proprietary nature.

Calculation Announcement

The Department determined, using the methodology and information described above, that the observed market price is $12.06. This reflects an average spot market price of $9.57, weighted at 31.39 percent, and an average long-term contract price of $13.19, weighted at 68.61 percent. Since this price is below the $13.00/lb. minimum expressed in Appendix A of the Uzbek and Kyrgyz agreements, there will be no quota under Section IV.A. of the agreements available to these republics for the period April 1, 1995 to September 30, 1995. However, since this price is above the $12.00/lb. minimum expressed in Appendix A of the amended Kazakhstani agreement, Kazakhstan receives a quota of 500,000 lbs. for the period April 1, 1995 to September 30, 1995.

Comments

Consistent with the Department's letters of interpretation dated February 22, 1993, we provided interested parties our preliminary price determination on March 10, 1994. We received no comments.

We have determined that the observed market price for uranium is $12.06/lb. The Department invites parties to provide pricing information for use in the next price determination. Any such information should be provided for the record and should be submitted to the Department by September 5, 1995.

Dated: March 30, 1995.

Paul L. Joffe,

Deputy Assistant Secretary for Import Administration.

[FR Doc. 95–8510 Filed 4–5–95; 8:45 am]

BILLING CODE 3510–DS–M

[C–557–806]

Extruded Rubber Thread From Malaysia; Final Results of Countervailing Duty Administrative Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of final results of countervailing duty administrative review.

SUMMARY: On September 8, 1994, the Department of Commerce (the Department) published the preliminary results of its administrative review of the countervailing duty order on extruded rubber thread from Malaysia. We have now completed this review and determine the bounty or grant during the period January 1, 1992 through December 31, 1992 to be 3.30 percent *ad valorem* for all companies.

EFFECTIVE DATE: April 6, 1995.

FOR FURTHER INFORMATION CONTACT: Lorenza Olivas or Chris Jimenez, Office of Countervailing Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, D.C. 20230; telephone: (202) 482–2786.

SUPPLEMENTARY INFORMATION:

Background

On September 8, 1994, the Department published in the **Federal**

Register (59 FR 46392) the preliminary results of its administrative review of the countervailing duty order on extruded rubber thread from Malaysia (57 FR 38472; August 25, 1992). The Department has now completed this review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act).

We invited interested parties to comment on the preliminary results. We received written comments from the Government of Malaysia (GOM), respondent, and North American Rubber Thread, petitioner.

The period of review is January 1, 1992 through December 31, 1992 and affects entries made on or after March 31, 1992 and before April 28, 1992, and all entries made on or after August 25, 1992 through December 31, 1992. For an explanation of entries covered, see the ''Final Results of Review'' section of this notice.

This review involves four companies: Heveafil Sdn. Bhd. (Heveafil), Filmax Sdn. Bhd. (Filmax), Rubberflex Sdn. Bhd. (Rubberflex), and Filati Lastex Elastofibre Sdn. Bhd. (Filati). The review covers the following programs:

(1) Pioneer Status.

(2) Export Credit Refinancing (ECR).

(3) Abatement of Income Tax Based on the Ratio of Export Sales to Total Sales.

(4) Abatement of Five Percent of the Value of Indigenous Malaysian Materials Used in Exports.

(5) Industrial Building Allowance.

(6) Double Deduction for Export Promotion Expenses.

(7) Rubber Discount Scheme.

(8) Investment Tax Allowance.

(9) Abatement of Five Percent of Taxable Income Due to Location in a Promoted Industrial Area.

(10) Allowance of a Percentage of Net Taxable Income Based on the F.O.B. Value of Export Sales.

(11) Double Deduction of Export Credit Insurance Payments.

(12) Abatement of Taxable Income of Five Percent of Adjusted Income of Companies Due to Capital Participation and Employment Policy Adherence.

(13) Preferential Financing for Bumiputras.

After consideration of the GOM's comments on the preliminary results of review, the Department has recalculated the cash deposit to account for the elimination of the Abatement of Five Percent of the Value of Indigenous Malaysian Materials Used in Exports Program. In addition, the Department recalculated the post-shipment financing benefits to account for its inadvertent omission of certain transactions. Accordingly, the Department determines the total bounty or grant from all programs under review to be 3.30 percent *ad valorem* for all companies.

Scope of Review

Imports covered by this review are shipments of extruded rubber thread from Malaysia. Extruded rubber thread is defined as vulcanized rubber thread obtained by extrusion of stable or concentrated natural rubber latex of any cross sectional shape, measuring from 0.18 mm, which is 0.007 inch or 140 gauge, to 1.42 mm, which is 0.056 inch or 18 gauge, in diameter. During the review period, such merchandise was classifiable under item number 4007.00.00 of the *Harmonized Tariff Schedule* (HTS). The HTS item number is provided for convenience and Customs purposes. The written description remains dispositive.

Calculation of Country-Wide Rate

We calculated the bounty or grant on a country-wide basis by first calculating the bounty or grant for each company subject to the administrative review. We then weight-averaged the bounty or grant received by each company using as the weight its share of total Malaysian extruded rubber thread exports to the United States, including all companies, even those with *de minimis* or zero bounties or grants. We then summed the individual companies' weight-averaged bounties or grants to determine the bounty or grant from all programs benefitting extruded rubber thread exports to the United States. Since the country-wide rate calculated using this methodology was above *de minimis*, as defined by 19 CFR 355.7 (1994), we proceeded to the next step and examined the total bounty or grant calculated for each company to determine whether individual company bounty or grant differed significantly from the weighted-average country-wide rate, pursuant to 19 CFR 355.22(d)(3). In calculating the individual company rates described above, only one rate was calculated for Heveafil and Filmax because Heveafil and Filmax were related parties.

None of the companies received aggregate bounties or grants which were significantly different within the meaning of 19 CFR 355.22(d)(3)(i). Therefore, the country-wide rate is based on the weighted-average aggregate bounties or grants received by the companies subject to this review.

Analysis of Comments

Comment 1: The GOM alleges that the Department initiated the original investigation pursuant to Section 303(a)(2) of the Act, and, therefore, the Department can impose countervailing duties under this section only if there is an injury determination by the International Trade Commission (ITC). (The ITC discontinued its injury determination under Section 303(a)(2) because the duty-free status of rubber thread from Malaysia was terminated.) The GOM contends that without an injury determination, the Department had no authority to issue a countervailing duty order and to require the bonds or cash deposits. The GOM further maintains that the Department cannot simply transfer the jurisdiction for an investigation from Section 303(a)(2) to Section 303(a)(1) without issuing a public notice that it intends to proceed with the investigation under a different statutory provision. *See, Certain Textile Mill Products and Apparel from Turkey* (50 FR 9817; March 12, 1987); *Certain Textile Mill Products and Apparel from the Philippines* (50 FR 1195; March 26, 1985) and *Certain Textile Mill Products and Apparel from Indonesia* (50 FR 9861; March 12, 1985). Furthermore, because there was no initiation notice or a preliminary determination under section 303(a)(1), a final determination under that section was not appropriate. If Commerce wanted to proceed with the investigation, it was required to re-initiate under the appropriate provision.

Petitioner argues that the Department has previously rejected the GOM's claims and, therefore, they merit no more consideration.

Department's Position: The GOM's challenge to the Department's authority to issue the order is untimely. Challenges to the issuance of an order must be filed within 30 days of the date the order is published. The countervailing duty order on extruded rubber thread from Malaysia was published on August 25, 1992. The GOM voluntarily withdrew a timely-filed complaint challenging the order on these same grounds. The GOM's attempt to reverse that challenge in this proceeding is untimely.

Comment 2: The GOM contends that the Department overstated the benefit received under the ECR program in its administrative review. The GOM argues that the Department must use the ''cost of funds'' to the government as the benchmark as required by item ''k'' of the Illustrative List of Export Subsidies annexed to the Subsidies Code, and the appropriate ''cost of funds'' is the 90-day rate for government bonds. The GOM asserts that if the Department instead uses the cost to the recipient as a benchmark, it should continue its past practice and use the bankers'

acceptances (BA) rates because they are identical to ECR financing in terms of risk, maturity and purpose. The GOM further contends that the Department should interpret the ''predominant'' form of financing as the most comparable form of financing. It asserts that it makes no sense to compare trade financing to other financing such as short-term loans and overdrafts. Furthermore, if the Department uses the weighted-average of commercial rates, it should account for the differences in the terms of financing.

Petitioner argues that it is the Department's practice to use the national average short-term borrowing rate. It further argues that companies cannot borrow at the government borrowing rate; therefore, ''cost of funds'' to the government is an improper benchmark.

Department's Position: We disagree with the GOM. The Illustrative List identifies common forms of export subsidies but does not necessarily instruct the Department how to value them. The Department has a longstanding practice of valuing the benefit to the recipient rather than the cost to the government for the purpose of calculating countervailing duty rates.

The Department's practice is to use the rate for the predominant form of short-term financing in the country under review as the benchmark for short-term loans. *See, Countervailing Duties; Notice of Proposed Rulemaking and Request for Public Comments* (59 FR 23380; May 31, 1989) (*Proposed Rules*). Where there is no single predominant source of short-term financing in the country in question, the Department may use a benchmark composed of the interest rates for two or more sources of short-term financing in the country in question. *See, Final Affirmative Countervailing Duty Determination and Countervailing Duty Order: Steel Wire Rope from Thailand* (56 FR 46299; September 11, 1991). BAs constitute an extremely small percentage of short-term financing in Malaysia and, therefore, it would be inappropriate to use the BA rates as a benchmark.

At verification, the GOM provided the *Bank Negara Malaysia Quarterly Bulletin,* which lists the commercial bank base lending (BLR) rates prevailing during the review period. The rates ranged from 9.97 percent to 10.29 percent. According to commercial bank officials, the banks add a 1.00 to 2.00 percent spread to the BLR.

Therefore, we have determined that it is appropriate to continue to use the average of the commercial BLR rates published in *Bank Negara Malaysia Quarterly Bulletin,* plus an average 1.5 percent spread, as a benchmark, in accordance with section 355.44(b)(3)(i) of the Department's *Proposed Rules.*

Comment 3: The GOM argues that both Heveafil and Filmax specifically excluded U.S. exports from the calculation of eligibility for the pre-shipment export financing. In addition, the GOM claims that the two companies did not use funds from exports to the United States to repay any of the pre-shipment loans. The GOM claims that in a similar situation, the Department concluded that exports to the United States did not receive benefits from short-term financing. *See, Suspension of Countervailing Duty Investigation; Certain Forged Steel Crankshafts from Brazil* (52 FR 28177, 28179; July 28, 1987) (*Brazilian Crankshafts Suspension Agreement*). Therefore, the GOM maintains that the companies received no benefit with regard to U.S. shipments.

Petitioner argues that the exclusion of U.S. exports from the eligibility calculation did not affect benefits received and, therefore, the Department should dismiss the GOM's claim.

Department's Position: The GOM provides ECR financing based on export performance. The explicit purpose of this program is to promote the export of manufactured and approved agricultural products. Two types of ECR financing are available: pre-shipment and post-shipment financing. There is no evidence that the GOM limits these ECR loans to increase exports to markets other than the United States, nor is there any evidence of a provision that prevents exporters from receiving ECR loans for exports to the United States. In fact, at verification we found that Heveafil received an ECR post-shipment loan for a U.S. export during the review period.

During the review period, both Heveafil and Filmax applied for and used pre-shipment financing based on certificates of performance (CP). Pre-shipment financing based on CPs is a line of credit based on previous exports and cannot be tied to specific sales in specific markets. Because pre-shipment loans were not shipment specific, we included all loans in calculating the country-wide duty rate. By excluding exports to the United States from their application for export financing, the companies merely reduced the amount of financing they received. In addition, at verification, company officials at the Heveafil and Filmax rubber factories could not tie the rubber latex purchased with the pre-shipment loans to products exported to destinations other than the United States. The GOM incorrectly claims that, in a similar situation in the *Brazilian Crankshafts Suspension Agreement,* the Department concluded that no subsidy from the CACEX short-term financing was provided on exports to the United States because exporters agreed not to use that portion of any outstanding CACEX pre-shipment loans certificates which were based on merchandise exported to the United States. In fact, in the final determination of *Brazilian Crankshafts,* the Department found the CACEX export financing program to be countervailable. *See, Final Countervailing Duty Determination; Certain Forged Steel Crankshafts From Brazil* (52 FR 28254, 28255; October 15, 1987). Therefore, we affirm that pre-shipment financing benefits all exports, including those to the United States.

Comment 4: The GOM argues that in calculating the benefit from the post-shipment program the Department used the incorrect interest rates for certain transactions made by Filmax and Rubberflex. Since interest paid for such financing was broken out by interest rates charged by specific banks, the Department should recalculate the benefit using the applicable rates.

Department's Position: We agree and have made the adjustments accordingly. In addition, we are including certain transactions made by Rubberflex that we inadvertently omitted in our calculation of post-shipment financing benefits. These changes increase the benefit from this program from 0.0003 percent *ad valorem* to 0.11 percent ad valorem.

Comment 5: The GOM argues that in calculating the export abatement benefit the Department should consider the actual tax savings in a particular year. Therefore, the Department should consider the non-countervailable deductions. If those non-countervailable deductions equal the tax liability, then there is no benefit in the year in question.

Petitioner argues that the GOM's claim ignores the fact that the subsidy's existence permits tax benefits to be carried forward to other years. Hence, the Malaysians do benefit from the export abatement subsidy. Further, petitioner believes that it is reasonable to assume that the Malaysians will take advantage of subsidy tax deductions.

Department's Position: Essentially the GOM has asked us to assume that the non-countervailable allowances are used first, even if the non-countervailable allowances can be carried forward, while the export allowance cannot be carried forward. As we stated in the final determination in the investigation, given this distinction, it is more reasonable to assume that the

export abatement is used first. *See, Malaysian Final Determination.* Therefore, we continue to treat the export abatement as fully countervailable based on the tax return filed in the year under review.

Comment 6: The GOM argues that since Heveafil and Filmax eliminated U.S. exports from their application for the tax deduction under the export abatement program, the Department cannot attribute any of the tax abatement program to such exports. Citing section 355.47(a) of the *Proposed Rules,* the GOM argues that the Department cannot find a program countervailable unless its benefits are tied to the subject merchandise.

Petitioner argues that the GOM's method of exclusion was illusory, as it did not affect the benefits received.

Department's Position: In calculating the ratio of total exports to total sales, Heveafil, the only company that claimed the abatement on its income tax return filed in the review period, deducted the amount of U.S. exports from both the numerator and denominator. In essence, the companies merely prorated the benefit (*i.e.* adjusted downward using the ratio of U.S. exports to total exports), since its calculation did not significantly change the ratio applied to adjusted income to determine its export abatement. The calculation methodology used by Heveafil in its tax return did not eliminate the benefit attributable to sales of U.S. exports. Therefore, we confirm our preliminary determination that this program provides a countervailable benefit with respect to exports of the subject merchandise.

Comment 7: The GOM argues that the Department assumed that the entire deduction for all other export tax programs resulted in cash savings in the year under investigation. Moreover, these programs are unlike the export abatement in that they can be carried forward.

Department's Position: The companies under review earned several types of allowances which may be used to offset taxable income. Each year, the company calculates the total value of allowances to which it is entitled. It then draws from this total the amount needed to eliminate any tax liability in that year. If anything remains in the pool, it can be carried forward to offset taxable income in future years.

The specific allowances drawn from the pool in any given year are not identified on the tax form. Therefore, it was necessary to develop a methodology for estimating the portion of the allowance used in a given year that is attributable to countervailable programs, and the portion that is attributable to non-countervailable programs in order to calculate the net bounty or grant.

As we did in the investigation, we assumed during this review that the countervailable programs would be used first. Our rationale was to consider that a central purpose of the countervailing duty law is to encourage foreign governments not to provide countervailable subsidies. In this review, this purpose can best be served by selecting the remaining countervailable allowances before selecting any of the non-countervailable allowances available to the companies.

In addition, if we treat a portion of the countervailable allowances as having been used, other portions carried forward for future use would also be countervailable when used. This means that we would have to track allowances carried forward and trace from year to year what portion of the allowances carried forward is countervailable. To avoid an unadministerable system of tracking and tracing, we have treated the countervailable portions as having been used in the year under review.

Comment 8: The GOM argues that the Department previously found the Pioneer Status Program not countervailable. *See Carbon Steel Wire Rod from Malaysia; Final Results of Countervailing Duty Administrative Review (Wire Rod from Malaysia)* (56 FR 14927; April 12, 1991). The GOM asserts that it is not countervailable because tax benefits under this program are not limited to any sector or region of the Malaysian economy, nor is the program exclusively available to exporting companies. The GOM contends that the Department confirmed at verification, both the *de jure* and *de facto* availability of this program to the entire Malaysian economy, and that pioneer status tax benefits are not targeted to specific industries or companies in a discriminatory manner. Furthermore, the Department verified that the internal guidelines used to grant pioneer status are characterized by neutral criteria unrelated to exports, location or any other factors that could require a determination that the program is countervailable.

The GOM further argues that the Department verified that the GOM does not require export commitments, or view them as preponderant, in evaluating applications; that export potential is merely one of 12 factors considered in granting status; and that a product will not be accepted based on export potential alone. Furthermore, the GOM argues that the Department verified that the Malaysian Government commonly approves companies who do not make export commitments as well as some who do make them. Therefore, market destination is irrelevant to granting pioneer status.

Department's Position: In *Wire Rod from Malaysia,* we concluded that no industry or group of industries used the program disproportionately and found the program not to be countervailable. That determination, however, did not specifically address situations where companies had a specific export condition attached to their pioneer status approval. In the *Wire Rod* investigation, petitioner raised the issue of an export requirement. Although the requirement *per se* is not new, it was not at issue with the companies investigated at the time.

As stated in the *Malaysian Final Determination,* we continue to view the ''domestic'' side of the Pioneer Status Program to be not countervailable. However, in this instance recipients of the tax benefits conferred by this program can be divided into two categories: industries and activities that will find market opportunities in Malaysia and elsewhere, and those that face a saturated domestic market. At verification, we established that an export requirement may sometimes be applied to certain industries after it is determined that the domestic market will no longer support additional producers. The extruded rubber thread industry is among these industries.

The combination of the necessary export orientation of the industry due to lack of domestic market opportunities and the explicit export condition attached to pioneer status approval in the rubber thread industry lead us to conclude that the ''export'' side of the Pioneer Status Program constitutes an export subsidy to the rubber thread industry. Whether or not the commitment was voluntary, as the GOM suggests, the company has obligated itself to export a very large portion of its production, and that commitment appears to have been an important condition for approval of benefits. For further information, *see Malaysian Final Determination.*

Comment 9: The GOM argues that the Department overstated the benefit from the Pioneer Status Program because it fails to deduct normal capital allowances that would have been allowed if the program had not been used. The GOM claims that Rubberflex and Filmax, in fact, received no cash benefits from this program. Furthermore, the Department incorrectly allocated pioneer status tax benefits over only export sales even though pioneer status tax benefits are also applicable to profits on domestic

sales. According to the GOM, this is consistent with the Department's practice to allocate benefits over total sales to which they are ''tied.''

Petitioner argues that pioneer status tax benefits are for the exports of the subject product. Thus, they are countervailable and properly allocated only over export sales.

Department's Position: We have not overstated the benefit from the Pioneer Status Program. When a company receives pioneer status, it is allowed to stockpile normal capital allowances for use in future years. Therefore, these allowances should not be used to offset current benefits. Moreover, export sales should form the denominator because receipt of pioneer status tax benefits for the companies under review is contingent upon exportation. *See* section 355.47(a)(2) of the *Proposed Rules.*

Comment 10: The GOM argues that the Rubber Discount Program ended on December 31, 1991 and that exports on or after January 1, 1992 were no longer eligible for rubber discount benefits. The GOM further argues that in the original investigation, the Department determined that the benefit from this program occurs at the time of export (not at the time of receipt of the cash).

Therefore, exports after December 31, 1991 did not receive benefits.

Petitioner, on the other hand, argues that the benefit from the program occurs at the time of receipt of the funds, as only then does the company have the money to use.

Department's Position: We agree with respondent. In the preliminary results, the Department determined that the benefits were conferred at the time of export. Since the program was terminated effective January 1, 1992, and the last date exports were eligible for rebates was December 30, 1991, no benefits were received from this program during the review period. Our position remains unchanged from our preliminary results.

Comment 11: The GOM contends that we should adjust the cash deposit to reflect program-wide changes affecting future benefits: the reduction in the abatement of income for exports, the elimination of the development tax and the reduction of the corporate tax.

Petitioner argues that cash deposit should not differ from the subsidy found in the review period, because the actual benefit is not known until after the full investigation of the level of subsidization.

Department's Position: According to 19 CFR 355.50(a), the cash deposit rate will be adjusted for program-wide changes (1) which occur after the review period, but before the preliminary results are published, and (2) which can be measured. The benefits of certain types of programs are not always measurable. For example, in cases of certain loan programs, there may be many factors affecting the subsidy rate, not all of which can be quantified in advance. *See, e.g., Certain Textile Mill Products from Thailand,* 52 FR 7636 (1987); and *Textile Mill Products from Mexico,* 50 FR 10824 (1985); *see, also, Live Swine From Canada,* 53 FR 22189 (1988).

In the instant review, the reduction of the corporate tax and the elimination of the development tax are not program-wide changes, but changes in one factor of the benefit calculation. In *Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts thereof from Singapore Final Results of Countervailing Duty Administrative Review* (56 FR 26384, 26386; June 7, 1991), regarding the reduction of the corporate tax rate, we stated that ''there are a number of factors other than the corporate tax rate which affect the benefit calculations (*i.e.,* total sales, total exports, adjusted profits, and investment allowances). Since changes in these factors can offset one another, a * * * reduction in the tax rate does not warrant a reduction in the cash deposit rate.'' While the reduction in the corporate tax rate and the elimination of the development tax may change the level of benefits found for a tax program, these changes in the tax rates do not constitute a program-wide change in a subsidy program under section 355.50 of the *Proposed Rules.*

The GOM also changed the abatement of income from exports programs by reducing the abatement rates. While the reduction in the abatement rates meets the definition of a ''program-wide change'' under section 355.50(b) of the *Proposed Rules,* that change cannot be measured. Companies earn several types of general tax allowances which are not under review and which may be used to offset taxable income. Each year, the companies calculate the total value of allowances to which they are entitled. They draw from the total allowances the amount needed to eliminate any tax liability in that year. If anything remains in the pool, it can be carried forward to offset taxable income in future years. *See, Department's Position* to *Comment 7.* It is not known what deductions companies have taken until the tax returns are filed, and it is inappropriate to assume that the adjusted income would remain constant in the year(s) subsequent to our review period. We do not have information regarding the companies' current income and the consequences of the adjusted income, and it would be inappropriate to gather such information because that would, in essence, constitute a new review. Therefore, we have not adjusted the cash deposit.

Unlike the above changes, we verified that the GOM has eliminated the Abatement of Five Percent of the Value of Indigenous Malaysian Materials Used in Exports Program. We consider this program to be a program-wide change because it occurred before we published the preliminary results and the change can be measured. We also verified that there are no residual benefits. As such, we have adjusted the cash deposit rate to reflect this change.

Comment 12: The GOM claims that Section 707 of the Act prohibits the Department from ordering the collection of countervailing duties on entries made on or after April 28, 1992 and before August 25, 1992.

Department's Position: We agree. See the ''Final Results of Review'' section of this notice.

Final Results of Review

After considering all comments received, we determine the bounty or grant to be 3.30 percent *ad valorem* for the period January 1, 1992 through December 31, 1992.

The Department issued the its preliminary affirmative countervailable duty determination in the investigation on December 30, 1991 (56 FR 67276). However, the ITC terminated its injury determination on Malaysian extruded rubber thread in light of the revocation of duty-free status under the Generalized System of Preferences, effective March 31, 1992. Therefore, as a result of the ITC determination, the Department issued instructions to Customs to liquidate entries of the subject merchandise entered, or withdrawn from warehouse, for consumption prior to March 31, 1992, without the imposition of countervailing duties. (*See Amended Final Affirmative Countervailing Duty Determination and Countervailing Duty Order; Extruded Rubber Thread from Malaysia* (58 FR 41084; August 2, 1993)).

In accordance with 705(a)(1) of the Act, the final determination in the investigation was extended to coincide with the final antidumping determination involving the same product from Malaysia (57 FR 38472; August 25, 1992). Pursuant to section 705 of the Act and Article 5.3 of the GATT Subsidies Code, we cannot require suspension of liquidation for more than 120 days without the issuance of a countervailing duty order.

Therefore, the Department instructed Customs to terminate the suspension of liquidation on the subject merchandise entered, or withdrawn from warehouse, for consumption on or after April 28, 1992. The Department reinstated suspension of liquidation and required cash deposits of estimated countervailing duties of entries made on or after August 25, 1992, the date of publication of the countervailing duty order (57 FR 38472). As such, merchandise entered on or after April 28, 1992 and before August 25, 1992 is to be liquidated without regard to countervailing duties.

The Department will instruct the Customs Service to assess countervailing duties of 3.30 percent *ad valorem* of the f.o.b. invoice price on all shipments of the subject merchandise entered or withdrawn from warehouse, for consumption on or after March 31, 1992 and before April 28, 1992, and on all shipments of the subject merchandise entered or withdrawn from warehouse, for consumption on or after August 25, 1992 and exported on or before December 31, 1992.

The elimination of the Abatement of Five Percent of the Value of Indigenous Malaysian Materials Used in Exports Program reduces the total estimated duty deposit to 3.18 percent *ad valorem*. Therefore, the Department will instruct the Customs Service to collect a cash deposit of estimated countervailing duties of 3.18 percent *ad valorem* of the f.o.b. invoice price on all shipments of this merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this administrative review. This deposit requirement will remain in effect until publication of the final results of the next administrative review.

This administrative review and notice are in accordance with section 751(a)(1) of the Act (19 U.S.C. 1675 (a)(1)) and 19 CFR 355.22.

Dated: March 29, 1995.

Susan G. Esserman,

Assistant Secretary for Import Administration.

[FR Doc. 95–8513 Filed 4–5–95; 8:45 am]

BILLING CODE 3510–DS–P

Rutgers, The State University of New Jersey, Notice of Decision on Application for Duty-Free Entry of Scientific Instrument

This decision is made pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 AM and 5:00 PM in Room 4211, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C.

Docket Number: 94–146. *Applicant:* Rutgers, The State University of New Jersey, Piscataway, NJ 08855-0909. *Instrument:* Test Frame with Accessories. *Manufacturer:* Hi-Tech Ltd., United Kingdom. *Intended Use:* See notice at 60 FR 442, January 4, 1995.

Comments: None received. *Decision:* Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as it is intended to be used, is being manufactured in the United States. *Reasons:* This is a compatible accessory for an existing instrument purchased for the use of the applicant. The accessory is pertinent to the intended uses and we know of no domestic accessory which can be readily adapted to the existing instrument.

Frank W. Creel

Director, Statutory Import Programs Staff

[FR Doc. 95–8508 Filed 4–5–95; 8:45 am]

BILLING CODE 3510–DS–F

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Availability of Funds for National Service Leadership Training Program

AGENCY: Corporation for National and Community Service.

ACTION: Notice of Availability of Funds.

SUMMARY: The Presidio Leadership Center (PLC) of the Corporation for National Service (the Corporation) announces its intention to make available approximately $200,000 to support one or more new cooperative agreements that would assist the PLC in developing and providing a leadership development and training program for approximately 180 leaders of Corporation-funded programs and other service programs, over a twelve to sixteen month period. The delivery of the program by applicants must include a ''training of trainers'' approach and preparing the PLC staff and selected individuals to continue portions of the training on a larger scale after the cooperative agreement ends.

DATES: All applications must be received by 3:30 p.m. PST, May 8, 1995.

ADDRESSES: Applications may be obtained from and must be submitted to the Corporation at the following address: Corporation for National Service, Presidio Leadership Center, Attention: Ms. Pipo Bui, Building 386, Moraga Avenue, The Presidio of San Francisco, CA 94129.

FOR FURTHER INFORMATION CONTACT: This notice is an abbreviated version of information that is contained in the application materials. For further information and to obtain application materials, please contact Ms. Pipo Bui at the Presidio Leadership Center, by facsimile at (415) 561–5955, or by phone at (415) 561–5950. This notice may be requested in an alternative format for the visually impaired.

SUPPLEMENTARY INFORMATION:

I. Background

The Corporation for National Service is a government organization created by the National and Community Service Act of 1990, as amended, 42 U.S.C. § 12501 et seq. [''the Act'']. The Corporation's mission is to engage Americans of all ages and backgrounds in community-based service. This service will address the nation's education, human, public safety, and environmental needs to achieve direct and demonstrable results. In doing so, the Corporation will foster civic responsibility, strengthen the ties that bind us together as a people, and provide educational opportunity for those who make a substantial commitment to service.

The Act authorizes the Corporation to conduct, directly or by grant or contract, training programs to promote leadership development in national service programs. The Presidio Leadership Center was established in 1995 by the Corporation with the purpose of developing leadership for community service. The Center is working to:

- Create a sense of professional identity and shared purpose among leaders working at all levels in national service;
- Help leaders and potential leaders increase their effectiveness in accomplishing the goals of their programs and of national service;
- Create opportunities for new leadership to emerge, strengthening the diversity, richness, and energy of those who guide national service;
- Encourage leaders to weave community service into the fabric of the way that every community approaches its challenges.

The leadership development program described in this notice, primarily targeted at executives and senior managers in service programs, has been tentatively named the Presidio Leadership Fellowship Program (PLFP). It is the first initiative of the PLC. This program is subject to availability of